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PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
CAMERON BOLITHO BROWNE, et al. )  
Application No.: 10/734,222 )  
Filed: December 15, 2003 )  
For: METHOD AND APPARATUS )  
FOR IMAGE METADATA )  
ENTRY )  
Examiner: Sy D. Luu  
Group Art Unit: 2174  
August 23, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER

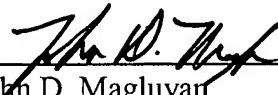
Sir:

Submitted herewith is a copy of an Examiner's Report dated June 21, 2006 which issued in an Australian patent application corresponding to the above U.S. application. Applicants note that the documents referenced in the Australian Examiner's Report were previously cited in the Information Disclosure Statement dated January 23, 2004 or April 30, 2004. Accordingly, a Form PTO-1449 does not accompany this Letter.

Favorable consideration is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office at (714) 540-8700. All correspondence should continue to be directed to  
our below-listed address.

Respectfully submitted,

  
\_\_\_\_\_  
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21 June 2006

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Your Ref: 659120:LDP:PDM

Examiner's first report on patent application no. 2003268830  
by Canon Kabushiki Kaisha

Last proposed amendment no.

Dear Madam/Sir,

I am replying to the request for normal examination. I have examined the application and I believe that there are lawful grounds of objection to the application. These grounds of objection are:

1. There is no Notice of Entitlement on file. You will need to file one because an application without a Notice of Entitlement cannot be accepted.
2. Claims 1, 7, 12, 17, 22, 23, 24, 25, 26, 27, 28, 29 and 30 are not novel (and does not involve an inventive step) when compared to the following prior art documents:

D1: US 6 353 823 B1 (KUMAR) 5 March 2002;  
D2: US 2002/0055955 A1 (LLOYD-JONES et al) 9 May 2002; and  
D3: US 6 408 301 B1 (PATTON et al) 18 June 2002.

All of these documents disclose a method of classifying and searching one or more images comprising:

- a) selecting an iconic representation of at least one image displayed on a graphical user interface (see D1: col 4 lines 13-22, and col 10 lines 11-35; D2: abstract, Fig 1, 6a-b; and D3: col 1 lines 47-53, col 4 lines 60-66);
- b) moving said iconic representation to a target position within an area defined by said graphical user interface, according to a classification of said image (see D1: col 10 lines 11-35; D2: Fig 1, 6a-b; and D3: col 4 lines 3-19); and
- c) determining an association between said at least one image and at least one predetermined metadata item representing said classification, in response to said iconic representation being positioned at said target position (see D1: col 7 lines 41-60, col 9 lines 30-64, and col 10 line 11 to col 11 line 8; D2: abstract, Fig 1, 6a-b; and D3: col 1 lines 54-60, col 4 lines 60-66).

Claims 2-6, 8-11, 13-16 and 18-21 are similarly not novel and lack an inventive step as they only provide additional features to claims 1, 7, 17, 22, 23, 25 and 26 which are wholly disclosed in the above documents.

You have 21 months from the date of this report to overcome all my objection(s) otherwise your application will lapse.

You will need to pay a monthly fee for any response you file after 12 months from the date of the first report.

You will also need to pay any annual continuation fees that apply. These will normally be first due five years from the filing date. Please note however that earlier commencement dates apply for divisional applications.

Information about fees may be obtained by phoning 1300 651010.

Yours faithfully,

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Section B5  
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